

McLOUGHLIN HOUSE NATIONAL HISTORIC SITE ACT

SEPTEMBER 11, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3434]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3434) to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the “McLoughlin House National Historic Site Act”.

(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) ASSOCIATION.—The term “Association” means the McLoughlin Memorial Association, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

(2) CITY.—The term “City” means Oregon City, Oregon.

(3) HISTORIC SITE.—The term “Historic Site” means the McLoughlin House National Historic Site which is described in the Acting Assistant Secretary of the Interior’s Order of June 27, 1941, and generally depicted on the map entitled “McLoughlin House National Historic Site”, numbered 007/80,000, and dated 12/01/01, and includes the McLoughlin House, the Barclay House, and other associated real property, improvements, and personal property.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 2. FINDINGS.

Congress finds the following:

(1) On June 27, 1941, Acting Assistant Secretary of the Interior W.C. Mendenhall, by means of the authority granted the Secretary under section 2 of the Historic Sites Act of August 21, 1935, established the McLoughlin Home National Historic Site, located in the City.

(2) Since January 16, 1945, the site has been known as McLoughlin House National Historic Site.

(3) The Historic Site includes the McLoughlin House and Barclay House, which are owned and managed by the Association.

(4) The Historic Site is located in a Charter Park on Oregon City Block 40, which is owned by the City.

(5) A cooperative agreement was made in 1941 among the Association, the City, and the United States, providing for the preservation and use of the McLoughlin House as a national historic site.

(6) The Association has had an exemplary and longstanding role in the stewardship of the Historic Site but is unable to continue that role.

(7) The Historic Site has been an affiliated area of the National Park System and is worthy of recognition as part of the National Park System.

SEC. 3. McLOUGHLIN HOUSE NATIONAL HISTORIC SITE.

(a) **ACQUISITION.**—The Secretary is authorized to acquire the Historic Site, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange, except that lands or interests in lands owned by the City may be acquired by donation only.

(b) **BOUNDARIES; ADMINISTRATION.**—Upon acquisition of the Historic Site, the acquired property shall be included within the boundaries of, and be administered as part of, the Fort Vancouver National Historic Site in accordance with all applicable laws and regulations of the National Park System.

Amend the title so as to read:

A bill to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as part of the Fort Vancouver National Historic Site, and for other purposes.

PURPOSE OF THE BILL

The purpose of H.R. 3434 is to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as part of the unit of the National Park System known as the Fort Vancouver National Historic Site, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The McLoughlin House National Historic Site in Oregon City, Oregon was once home to Dr. John McLoughlin. Dr. McLoughlin was chief factor of the British Hudson's Bay Company based at Ft. Vancouver on the Columbia River. He crossed the Rockies in 1824 and established Fort Vancouver in 1825. Dr. McLoughlin supplied American pioneers with the goods they needed to settle and survive at their new home in Oregon. Fur trader, developer, doctor and mayor, Dr. McLoughlin became known as the "Father of Oregon" and the McLoughlin House was restored to honor his life and accomplishments.

The McLoughlin Memorial Association was formed in 1909. In 1910, the Association opened the House as a museum. Since that time the house has been visited by thousands of individuals each year. In 1941, Congress designated the McLoughlin House a National Historic Site and it continued to operate under the direction of the Association. When Fort Vancouver National Historic Site was established in 1948, the National Park Service (NPS) entered into a formal agreement with the Association to work cooperatively together.

In 2000, the Association approached the NPS concerning the possibility of the agency assuming administration of the site. The Association lacks appropriate funds to maintain the historic houses and has asked that the NPS acquire the site and assume responsi-

bility to ensure the future care of the Historic Site with the Association remaining active in an advisory capacity.

COMMITTEE ACTION

H.R. 3434 was introduced on December 6, 2001 by Congresswoman Darlene Hooley (D-OR). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On July 16, 2002, the Subcommittee held a hearing on the bill. On July 18, 2002, the Subcommittee met to mark up the bill. Mr. Radanovich offered an amendment in the nature of a substitute to authorize the acquisition of the property, but to include it within the boundaries of the Fort Vancouver National Historic Site rather than create a new unit of the National Park System. It was adopted by voice vote and was then ordered favorably reported to the Full Committee. On July 24, 2002, the Full Committee met to consider the bill and ordered the bill, as amended, favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill, as ordered reported, is to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as part of the Fort Vancouver National Historic Site, and for other purposes.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 9, 2002.

Hon. JAMES V. HANSEN,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3434, the McLoughlin House National Historic Site Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 3434—McLoughlin House National Historic Site Act

H.R. 3434 would authorize the National Park Service (NPS) to acquire the McLoughlin House National Historic Site (NHS) in Oregon by purchase, donation or exchange. The site, which consists of two historic houses, is currently owned and operated by a non-profit organization. Upon acquisition, the site would be administered by the NPS as part of the Fort Vancouver National Historic Site.

Based on information provided by the NPS and by the McLoughlin Memorial Association, CBO estimates that implementing H.R. 3434 would cost about \$2.7 million over the next five years, assuming appropriation of the necessary amounts. We estimate that about \$500,000 of this amount would be used to purchase the two buildings during the next year or two and that about \$1 million would be spent to repair and restore them over the following few years. We estimate that the cost of operating the site as part of the Fort Vancouver NHS would be about \$300,000 annually beginning in 2003 or 2004, also assuming appropriation of the necessary amounts. Finally, CBO estimates that an additional \$2 million would be spent after 2007 for further renovation and development. Enacting H.R. 3434 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

This legislation contains no intergovernmental or private-sector mandates and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

